

03560.002797

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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NOV 12 2004

**OFFICE OF PETITIONS**

In re Application of:	)	
	:	Examiner: D. Singh
TETSUO SAKANAKA	)	
	:	Group Art Unit: 2633
Application No.: 09/838,277	)	
	:	Allowed: June 22, 2004
Filed: April 20, 2001	)	
	:	
For: OPTICAL FREE-SPACE	)	
COMMUNICATION APPARATUS:		November 12, 2004

**Attn.: Petitions Attorney**  
**Office of Petitions**  
**Crystal Plaza 4, Room 3C23**

**Mail Stop 313(c)**  
**THE COMMISSIONER FOR PATENTS**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

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130.00 DA

PETITION TO WITHDRAW FROM ISSUE  
UNDER 37 C.F.R. § 1.313(c)(2)

Sir:

The issue fee having been paid on September 22, 2004, pursuant to 37 C.F.R. § 1.313(c)(2), Applicant petitions the Commissioner to withdraw the above-identified application from issue for consideration of the Request for Continued Examination (RCE) attached hereto. The RCE requests entry, as a submission under 37 C.F.R. § 1.114, of the attached Request for Acknowledgment of Consideration of Previously Filed Document.

### EXPEDITED HANDLING REQUESTED

Because Applicant understands that an issue date for the present application has been set for November 16, 2004, expedited handling of this Petition is respectfully requested.

### FORMAL MATTERS: AUTHORIZATION TO CHARGE PETITION FEE

The Commissioner is authorized to charge the petition fee of \$130.00, and any other fees necessitated by these papers to Deposit Account No. 06-1205. A duplicate of this paper is attached for this purpose.

### REQUEST FOR INTERVIEW

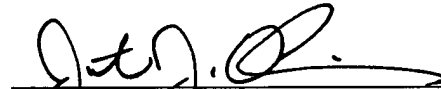
If any questions remain, Applicant respectfully requests that the Office of Petitions contact Applicant's undersigned representative at (202) 530-1010.

### CONCLUSION

It is requested that the present application be withdrawn from issue for consideration of the RCE and its submission, the Request for Acknowledgment of Consideration of Previously Filed Document. Favorable consideration hereof is earnestly solicited.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

  
Justin J. Oliver  
Attorney for Applicant  
Reg. No. 44,986

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3801  
Facsimile: (212) 218-2200

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